

RCE/3737

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**Request  
for  
Continued Examination (RCE)  
Transmittal**

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	08/756,257
Filing Date	November 25, 1996
First Named Inventor	John D. Schellenberg
Art Unit	3737
Examiner Name	Ruth S. Smith
Attorney Docket Number	4204.7-1

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**  
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- ii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/ Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other 3-Month Ext.; return postcard

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

3. **Fees**

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- The Director is hereby authorized to charge the following fees, or credit any overpayments, to
- a. ☒ Deposit Account No. 13-4900. I have enclosed a duplicate copy of this sheet.
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Signature		Date	February 16, 2005
Name (Print/Type)	Michael W. Dubner	Registration No.	47,310

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature		Date	February 16, 2005
Name (Print/Type)	Michael W. Dubner		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

08756257

02/23/2005 RFEKADU1 00000009 134900

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Application No. 08/756,257

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No. : 08/756,257  
Applicant : John D. Schellenberg  
Filed : November 25, 1996  
Art Unit : 3737  
Examiner : Ruth S. Smith  
  
Docket No. : 4204.7-1  
Title : Tool Position Indicator

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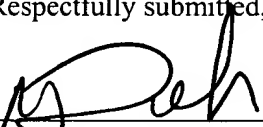
**REQUEST FOR CONTINUED EXAMINATION**

Dear Sir:

In response to the Office Action dated August 16, 2004, Applicant respectfully requests continued examination of the present application in order that the Examiner may enter the attached amendment and reconsider the rejection of the claims. Applicant respectfully requests favorable action by the Examiner.

Respectfully submitted,

Date: 2/16/05

  
\_\_\_\_\_  
Michael W. Dubner  
Registration No. 47,310

Munsch Hardt Kopf & Harr, P.C.  
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Dallas, TX 75202  
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Customer No. 23559

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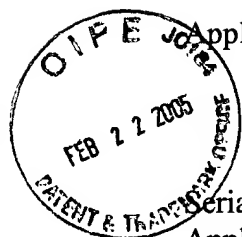
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Date: February 16, 2005

Signature

  
\_\_\_\_\_  
Michael W. Dubner



Application No. 08/756,257

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Serial No. : 08/756,257  
Applicant : John D. Schellenberg  
Filed : November 25, 1996  
Art Unit : 3737  
Examiner : Ruth S. Smith  
  
Docket No. : 4204.7-1  
Title : Tool Position Indicator

**MS RCE**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR CONTINUED EXAMINATION**

Dear Sir:

In response to the Final Office Action dated August 16, 2004, Applicant respectfully requests continued examination of the present application in order that the Examiner may enter the following amendments and reconsider the rejection of the claims.

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**CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8(a))**

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Michael W. Dubner